IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA) 0.06M 1464
Plaintiff,) 8:06MJ164)
vs.) DETENTION ORDER
FERNANDO MACARIO-MACARI	IO, {
Defendant.	'
A. Order For Detention After conducting a detention he Act on December 28, 2006, th pursuant to 18 U.S.C. § 3142(earing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform the Court orders the above-named defendant detained (e) and (i).
Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.	
which was contained in the Proximal X (1) Nature and circums X (a) The crime: fit to him in vious sentence of (b) The offense (c) The offense (d) The offense (d) The offense (e) The weight of the example X (a) General Factor X (b) The history and characteristics X The The Council Council (b) At the time of the council	e defendant appears to have a mental condition which by affect whether the defendant will appear. e defendant has no family ties in the area. e defendant has no steady employment. e defendant has no substantial financial resources. e defendant is not a long time resident of the community. e defendant does not have any significant community.

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		Release pending trial, sentence, appeal or completion of
		sentence.
(c)	c) Other Factors:	
. ,	X	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	X	The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 28, 2006. BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge